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Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

NEWS RELEASE

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Supreme Court Approves Live Broadcast Of Same-Sex Parental Rights Cases

Cases to be Audiocast on California Courts Web Site

San Francisco—The California Supreme Court today approved a request by California Channel, a public affairs cable network, to provide a live broadcast of three cases that will be argued next week on the parental rights of same-sex partners. (*Elisa B. v. Superior Court (Emily B., et al., Real Parties in Interest)*, S125912; *K.M. v. E.G.*, S125643; and *Kristine H. v. Lisa R.*, S126945.)

As part of its late May calendar, the state's high court will hear the cases from 9 a.m. to 12 noon on Tuesday, May 24, 2005, in the Supreme Court Courtroom, Earl Warren Building, 350 McAllister Street, San Francisco.

With 5.6 million viewers statewide, California Channel will offer a satellite link to facilitate coverage by other TV stations (www.calchannel.com). The Administrative Office of the Courts will provide a live audiocast of the oral arguments, which will provide access for out-of-state listeners, at www.courtinfo.ca.gov/courts/supreme/.

Each of the three parental rights cases includes one or more of the following issues:

- (1) May the presumption in Family Code section 7611(d)—that a man is a presumed father if he “receives the child into his home and openly holds the child out as his natural child”—be applied to a birth mother’s same-sex partner when both women made the decision to have a child, received the child into their home and held the child out as their own, and agreed to support the child?
- (2) Under *Johnson v. Calvert* (1993) 5 Cal.4th 84, can both same-sex partners be considered the legal parents of children conceived as a result of artificial insemination and born during their domestic partnership?

- (3) Must a woman who donates ova that are fertilized in vitro and implanted in her domestic partner's womb, resulting in the birth of a child, file an adoption petition in order to be a parent of the child under *Johnson v. Calvert*?

Note: This statement of the issues is intended simply to inform the public and the press of the general subject matter of the case. The description set out above does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.

The court's full calendar may be viewed on the California Courts Web site at <http://www.courtinfo.ca.gov/courts/calendars/documents/SMAYG.PDF> . Information on the attorneys of record and case dockets is available on the Supreme Court's Case Information System at <http://appellatecases.courtinfo.ca.gov/> .

To accommodate the large public interest expected in the parenting cases, an overflow viewing area will be available in the Lower Level Auditorium in the Milton Marks Conference Center, Hiram W. Johnson State Office Building, 455 Golden Gate Avenue, San Francisco.

Press seating in the courtroom will be limited. For reserved seating please call the Supreme Court's Public Information Office by 12 noon on Friday, May 20, 2005, at (415) 865-7740, or e-mail Lynn Holton at lynn.holton@jud.ca.gov .

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